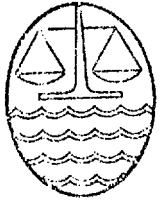




UNITED NATIONS



THIRD CONFERENCE ON THE LAW OF THE SEA

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THIRD COMMITTEE

Results of consideration of proposals and amendments
relating to the preservation of the marine environment 1/

VIII. Draft article on monitoring

(A/9021, Vol. I, p.92, WG.2/Paper No. 13; CRP/MP/7/Add.1; Add.3, Add.4 and Add.5).

1. States shall, consistent with the rights of other States endeavour, as much as is practicable 2/ individually or collectively through the competent international organizations to observe, measure, evaluate and analyse, by recognized methods the risks or effects of pollution of the marine environment.

In particular, States shall keep under surveillance the effect of any activities which they permit or in which they engage to determine whether these activities are likely to pollute the marine environment. 3/

2. States shall provide at appropriate intervals reports of the results obtained relating to risks or effects of pollution of the marine environment to UNEP 4/ or any other competent international or regional organizations, which should make them available to all States.

IX. Draft article on environmental assessment
(CRP/MP/18, originally proposed in connexion with monitoring)

1. When States have reasonable grounds for expecting that planned activities under their jurisdiction or control may cause substantial pollution of the marine environment,

1/ This addendum incorporates draft articles agreed upon at the level of the Informal Sessions on Item 12 during the Third Session of the Conference which were originally reproduced as CRP/MP/16 and Add.1-3.

2/ The question of the deletion or retention of the words "as much as is practicable" was deferred for consideration at a later stage.

3/ One delegation proposed to add after the words "marine environment" the following sentence "and they shall in any case, keep under surveillance the areas in which they exercise jurisdiction in accordance with this convention".

4/ Some delegations considered that United Nations Agencies or other bodies should not be named in this Article.

State Dept. review completed

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they shall, as far as practicable, assess the potential effects of such activities on the marine environment and shall communicate reports of the results of such assessments in the manner provided in paragraph 2 of article VIII (monitoring).

2. States shall directly or through competent international or regional organizations, on request, provide appropriate assistance in particular to developing countries concerning the preparation of such environmental assessments.

X. Draft article on standards for land-based sources of marine pollution
(A/9021, Vol.I, p.93, WG.2/Paper No.15 and CRP/MP/17/Add.2)

1. States shall establish national laws and regulations to prevent, reduce and control pollution of the marine environment from land-based sources including rivers, estuaries, pipelines and outfall structures, taking into account internationally agreed rules, standards and recommended practices and procedures.

States shall also take such other measures as may be necessary to prevent, reduce and control pollution of the marine environment from land-based sources.

2. States shall endeavour to harmonize their national policies at the appropriate regional level.

3.

States, acting in particular through the appropriate intergovernmental organizations or by diplomatic conference, shall endeavour to establish global and regional rules, standards and recommended practices and procedures to prevent, reduce and control pollution of the marine environment from land-based sources.

States, acting in particular through the appropriate intergovernmental organizations or by diplomatic conference, shall endeavour to establish global and regional rules, standards and recommended practices and procedures to prevent, reduce and control pollution of the marine environment from land-based sources, taking into account characteristic regional features, the economic capacity of developing countries and their need for economic development.

4. Laws, regulations and measures, and rules, standards and recommended practices and procedures referred to in paragraphs 1 and 3 respectively shall include those designed to minimize to the fullest possible extent the release of toxic and harmful substances, especially persistent substances, into the marine environment.

XI. Draft article on pollution from dumping of wastes at sea
(CRP/MP/20)

1. States shall establish national laws and regulations to prevent, reduce and control pollution of the marine environment from dumping 1/ of wastes and other matter.

1/ In the consideration of this subject, the concept of "dumping" was used in substance as found in the London Convention of 1972. The need to include a definition of dumping, the exact text thereof for the purpose of this Convention and its placing will be the subject of future consideration.

States shall also take such other measures as may be necessary to prevent, reduce and control such pollution.

Such laws, regulations and measures shall ensure that dumping is not carried out without the permission of the competent authorities of States.

2. States acting in particular through the competent 1/ intergovernmental organizations or by diplomatic conference, shall endeavour to establish as soon as possible and to the extent that they are not already in existence, global and regional rules, standards and recommended practices and procedures to prevent, reduce and control pollution of the marine environment by dumping of wastes and other matter.

3. Dumping of wastes and other matter within 2/ shall not be carried out without the express approval of the coastal State, which has the exclusive 3/ right to permit, regulate and control 4/ such dumping. 5/

4.6/

1/ Some delegations suggested that the meaning of this word should be clarified.

2/ Area to be determined at a later stage.

3/ It was understood that this did not limit the right of other States to establish additional or stricter conditions or to prohibit entirely the dumping of wastes and other matter by ships flying their flag, ships or aircraft of their registry or ships or aircraft loading within their territory, including their ports or offshore terminals.

4/ It was understood that this paragraph has to be reviewed in the light of the decision taken on enforcement.

5/ The paragraphs in document CRP/MP/20/Add.1 (contained in document A/CONF.62/C.3/L.30) have neither been approved nor rejected. They will be considered at the next session of the Conference.

6/ This paragraph was not examined due to lack of time. The tests for this paragraph will be considered at the next session of the Conference and for this purpose they have been recorded in document A/CONF.62/C.3/L.30.